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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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EXAMINER

RINES, ROBERT D

ART UNIT PAPER NUMBER

3626

DATE MAILED: 07/06/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/639,740	DVER, ALYSSA	
	Examiner	Art Unit	
	Robert D. Rines	3626	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 09 February 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 86,87,89,90,92 and 94-123 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 86,87,89,90,92 and 94-123 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|-----------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>8/16/00, 8/28/00</u> | 6) <input type="checkbox"/> Other: _____ |

Continued Examination Under 37 CFR 1.114

[1] A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 9 February 2005 has been entered.

Notice to Applicant

[2] This communication is in response to the Request for Continued Examination (RCE) filed 9 February 2005. It is noted that this application benefits from the effective filing date of 16 August 2000. Claims 1-85, 88, 91, and 93 have been cancelled, claims 86 and 89 have been amended, claims 10-123 have been added. The IDS filed 25 May 2006 has been entered and considered. Claims 86-87, 89-90, 92, and 94-123 are pending.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

[3] Claims 100-103, 105-108, 110-115, 117-121 and 123 are rejected under 35 U.S.C. 103(a) as being unpatentable over Waits et al. (United States Patent #5,721,831) in view of Gisby (United States Patent #6,118,865).

As per claim 100 (New), Waits et al. teaches an article comprising: a computer readable signal bearing medium (Waits et al.; col. 6, lines 17-19); a lead having associated contact information stored in said medium, wherein said lead is a customer targeted for a marketing campaign (Waits et al.; col. 4, lines 38-46); a plurality of stations in said medium, wherein each of said stations defines a status of said lead in said marketing campaign (Waits et al.; col. 3 and col. 4); means in said medium for applying rules of said marketing campaign to said lead, wherein a station parameters is synonymous with a rule of said marketing campaign (Waits et al.; Figs. 2, 3, 4).

Waits et al. fails to teach means for monitoring a lead within an assigned station, moving a lead to a previous, current or subsequent station, and communicating an alert regarding neglect of a lead.

However, Gisby teaches means in said medium for monitoring a lead within an assigned station (Gisby; col. 7, lines 22-32); and means in the medium for communicating an alert to a designated user in response to neglect of said lead in said station (Gisby; col. 7, lines 27-33).

Gisby further teaches means in said medium for moving a lead to a station selected from a group consisting of: a subsequent station, a previous station, and a current station (Gisby; col. 5, lines 23-45).

NOTE: Regarding "moving leads to previous, current, and subsequent stations, Gisby indicates that routing of leads, although exemplified in the Gisby disclosure as involving only two stations, would typically involve multiple stations (i.e., current station, previous station, subsequent station) (Gisby; col. 5, lines 42-45). Further, Gisby indicates that selected client-callers enter the system through a normal business channel (current station) and are routed to "either IVR 61" for a survey (additional station) or a "live agent" (additional station) for conducting a survey (Gisby; col. 5, lines 24-30). Additionally, Gisby indicates that "after the transaction with the agent is complete the caller is transferred back to the IVR" (i.e., previous station) or to a "survey agent responsible for conducting the survey" (i.e. subsequent station) (Gisby; col. 5, lines 35-40).

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Examiner is interpreting Gisby's teachings of routing callers from normal business channels/stations to one or more stations for survey purposes and then back to normal business channels or forward to "live agent" stations as encompassing of Applicant's desire to route leads from current stations to previous and subsequent stations.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to have combined the teachings of Waits et al. with those of Gisby. Such combination would have resulted in a user interface with a database that allows a bank to divide its customer database into segments, and to examine the response of selected segments to marketing strategies (Waits et al.; col. 1, lines 40-46). Additionally, such a system would have more reliably gathered data from target customers by automatically monitoring and routing marketing calls associated with a marketing strategy (Gisby; col. 2, lines 50-67). The motivation to have combined the teachings would have been to conduct a more efficient and effective marketing campaign by initiating a surveys with customers in an automated fashion and immediately at the end of an agent-customer interaction (Gisby; col. 2, lines 41-54).

As per claim 101 (New), Waits et al. teaches an article wherein the medium is selected from a group consisting of: a recordable data storage medium, and a modulated carrier signal (Waits et al.; col. 6, lines 17-19).

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As per claim 102 (New), Waits et al. teaches an article wherein each of said plurality of stations in said medium includes a definition of required actions for an intended sale (Waits et al.; Figs. 10-12).

As per claim 103 (New), Gisby teaches an article further comprising a station master in said medium for monitoring said lead within said assigned station (Gisby; col. 7, lines 22-32).

As per claim 105 (New), Waits et al. teaches an article further comprising means in said medium for generating a report to analyze progress of said lead through said marketing campaign (Waits et al.; col. 5, lines 64-67).

As per claim 106 (New), Waits et al. teaches an article further comprising means in said medium for automatically generating said report at a predefined interval (Waits et al.; Fig. 10).

As per claim 107 (New), Waits et al. teaches an article further comprising means in said medium for custom defining report parameters based upon a user selecting fields of said database for inclusion in said report (Waits et al.; col. 5, lines 64-67).

As per claim 108 (New), Waits et al. teaches an article further comprising means in said medium for custom defining a station parameter and applying said station parameter to said rule of said marketing campaign (Waits et al.; col. 3 and col. 4).

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As per claim 110 (New), Waits et al. teaches an article wherein said marketing campaign has a goal selected from a group consisting of: sale of a product, sale of a service, and combinations thereof (Waits et al.; Figs. 3 and 8 *see claim 99).

Regarding claims 101-103, 105-108, and 110, the obviousness and motivation to combine as discussed with regard to claim 100 above are applicable to those claims and are herein incorporated by reference.

As per claim 111 (New), Waits et al. teaches an article comprising: a computer readable signal bearing medium (Waits et al.; col. 6, lines 17-19); a lead having associated contact information stored in said medium, wherein said lead is a customer targeted for a marketing campaign (Waits et al.; col. 4, lines 38-46); a plurality of stations in said medium, wherein each of said stations defines a status of said lead in said marketing campaign (Waits et al.; col. 3 and col. 4); means in said medium for applying rules of said marketing campaign to said lead, wherein a station parameters is synonymous with a rule of said marketing campaign (Waits et al.; Figs. 2, 3, 4).

Waits et al. fails to teach means for monitoring a lead within an assigned station of moving a lead to a previous, current, or subsequent station in response to user input.

However, Gisby teaches means in said medium for monitoring a lead within an assigned station (Gisby; col. 7, lines 22-32); and means in the medium for moving a lead to a station selected from a group consisting of: a subsequent station, a previous station, and a current station,

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wherein said station is determined in response to a reaction of said lead in a prior station (Gisby; col. 5, lines 23-45 *see analysis claim 100).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to have combined the teachings of Waits et al. with those of Gisby. Such combination would have resulted in a user interface with a database that allows a bank to divide its customer database into segments, and to examine the response of selected segments to marketing strategies (Waits et al.; col. 1, lines 40-46). Additionally, such a system would have more reliably gathered data from target customers by automatically monitoring and routing marketing calls associated with a marketing strategy (Gisby; col. 2, lines 50-67). The motivation to have combined the teachings would have been to conduct a more efficient and effective marketing campaign by initiating a surveys with customers in an automated fashion and immediately at the end of an agent-customer interaction (Gisby; col. 2, lines 41-54).

As per claim 112 (New), Waits et al. teaches an article wherein the medium is selected from a group consisting of: recordable data storage medium, and a modulated carrier signal (Waits et al.; col. 6, lines 17-19).

As per claim 113 (New), Waits et al. teaches an article wherein said customer is selected from a group consisting of: a current customer and a prospective customer (Waits et al.; col. 3, lines 19-26).

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As per claim 114 (New), Waits et al. teaches an article wherein each of said plurality of stations in said medium includes a definition of required actions for an intended sale (Waits et al.; Figs. 10-12).

As per claim 115 (New), Gisby teaches an article further comprising a station master in said medium for monitoring said lead within said assigned station (Gisby; col. 7, lines 22-32).

As per claim 117 (New), Gisby teaches an article further comprising an alert in said medium, wherein said alert is a communication to a designated user in response to neglect of said lead in said station (Gisby; col. 7, lines 27-33).

As per claim 118 (New), Waits et al. teaches an article further comprising means in said medium for generating a report to analyze progress of said lead through said marketing campaign (Waits et al.; col. 5, lines 64-67).

As per claim 119 (New), Waits et al. teaches an article further comprising means in said medium for automatically generating said report at a predefined interval (Waits et al.; Fig. 10).

As per claim 120 (New), Waits et al. teaches an article further comprising means in said medium for custom defining report parameters based upon a user selecting fields of said database for inclusion in said report (Waits et al.; col. 5, lines 64-67).

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As per claim 121 (New), Waits et al. teaches an article further comprising means in said medium for custom defining a station parameter and applying said station parameter to said rule of said marketing campaign (Waits et al.; col. 3 and col. 4).

As per claim 123 (New), Waits et al. teaches an article wherein said marketing campaign has a goal selected from a group consisting of: sale of a product, sale of a services, and combinations thereof (Waits et al.; Figs. 3 and 8 *see claim 99).

Regarding claims 112-115, 117-121 and 123, the obviousness and motivation to combine as discussed with regard to claim 111 above are applicable to those claims and are herein incorporated by reference.

[4] Claims 86-87, 89-90, 92, 94-97, 99, 104, and 116 are rejected under 35 U.S.C. 103(a) as being unpatentable over Waits et al., in view of Gisby, and further in view of Goss et al. (United States Patent #6,654,815).

As per claim 86 (Currently Amended), Waits et al. teaches an article comprising: a computer readable signal bearing medium (Waits et al.; col. 6, lines 17-19); a lead having associated contract information stored in said medium, wherein said lead is a customer targeted for a marketing campaign (Waits et al.; col. 4, lines 38-46); a plurality of stations in said medium, wherein each of said stations defines a status of said lead in said marketing campaign (Waits et al.; col. 3 and col. 4); means in said medium for applying rules of said marketing campaign to

said, wherein a station parameters is synonymous with a rule of said marketing campaign (Waits et al.; Figs. 2, 3, 4); means in said medium for removing said lead from said medium at a conclusion of said marketing campaign (Waits et al.; Figs. 21-23). Waits et al. fails to disclose means in said medium for managing activity of said lead by a user assigned to said station within an allotted time interval; and means in said medium for moving a lead to a station selected from a group consisting of: a subsequent station, a previous station, and a current station, wherein said station is determined in response to a reaction of said lead in a prior station.

However, Gisby teaches means in said medium for moving a lead to a station selected from a group consisting of: a subsequent station, a previous station, and a current station, wherein said station is determined in response to a reaction of said lead in a prior station (Gisby; col. 5, lines 23-45 *see analysis claim 100).

With respect to Applicant's means in said medium for managing activity of said lead by a user assigned to said station within an allotted time interval, Gisby teaches the use of "live survey agents" in the event that an automated system is overloaded (Gisby; col. 6, lines 33-40). Gisby's sensitivity to overloading the system indicates to the Examiner that Gisby is likely measuring "overload" in terms of a time interval to handle lead management activities. Nevertheless, though Gisby implies system sensitivity to an allotted time interval, Gisby does not specifically disclose the nature of the time sensitivity with regard to a specific, measurable period of time.

However, as is evidenced by Goss et al., the use of a timer or a preset or predetermined timing function to set trigger events related to customer or contact management is well known in the art (Goss et al.; col. 7, lines 26-67 and col. 8, lines 1-35, and col. 14, lines 20-40).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to have combined the teachings of Waits et al., and Gisby with those of Goss et al. Such combination would have resulted in a user interface with a database that allows a bank to divide its customer database into segments, and to examine the response of selected segments to marketing strategies (Waits et al.; col. 1, lines 40-46). Additionally, such a system would have more reliably gathered data from target customers by automatically monitoring and routing marketing calls associated with a marketing strategy (Gisby; col. 2, lines 50-67). Lastly, such a system would have employed well known techniques such as the use of timer for triggering call-back and other events related to a marketing campaign (Goss et al.; col. 14, lines 39-41). The motivation to have combined the teachings would have been to provide a system to conduct a more efficient and effective marketing campaign by initiating a surveys with customers in an automated fashion and immediately at the end of an agent-customer interaction (Gisby; col. 2, lines 41-54). Further motivation would have been to be more responsive to customer requests and enable more effective customer interactions in an environment characterized by a high volume of transactions (Goss et al.; col. 1, lines 35-57).

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As per claim 87 (Original), Waits et al. teaches an article wherein the medium is selected from a group consisting of: a recordable data storage medium, and is a modulated carrier signal (Waits et al.; col. 6, lines 17-19).

Claim 88 (Cancelled)

As per claim 89 (Currently Amended), Waits et al. teaches an article (of claim 86) wherein each of said plurality of stations in said medium includes a definition of required actions for an intended sale (Waits et al.; Figs. 10-12).

As per claim 90 (Original), Gisby teaches an article comprising a station master in said medium for monitoring said lead within said assigned station (Gisby; col. 7, lines 22-32).

Claim 91 (Cancelled)

As per claim 92 (Original), Gisby teaches an article further comprising an alert in said medium, wherein said alert is a communication to a designated user in response to neglect of said lead in said station (Gisby; col. 7, lines 27-33).

Claim 93 (Cancelled)

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As per claim 94 (Original), Waits et al. teaches an article further comprising means in said medium for generating a report to analyze progress of said lead through said marketing campaign (Waits et al.; col. 5, lines 64-67).

As per claim 95 (Original), Waits et al. teaches an article further comprising means in said medium for automatically generating said report at a predefined interval (Waits et al.; Fig. 10).

As per claim 96 (Original), Waits et al. teaches an article further comprising means in said medium for custom defining report parameters based upon a user selecting fields of said database for inclusion in said report (Waits et al.; col. 5, lines 64-67).

As per claim 97 (Original), Waits et al. teaches an article further comprising means in said medium for custom defining a station parameter and applying said station parameter to said rule of said marketing campaign (Waits et al.; col. 3 and col. 4).

As per claim 99 (Original), Waits et al. teaches an article wherein said marketing campaign has a goal selected from a group consisting of: sale of a service, and combinations thereof (i.e. "Retain the Most Profitable...promote summit checking) (Waits et al.; Figs. 3 and 8).

As per claim 104 (New), Goss et al. teaches an article wherein said means for monitoring a lead includes managing marketing activity of said lead by a user assigned to said station within an

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allotted time interval (Goss et al.; col. 7, lines 26-67 and col. 8, lines 1-35, and col. 14, lines 20-40 *see claim 86).

As per claim 116 (New), Goss et al. teaches an article wherein said means for monitoring of a lead includes managing marketing activity of said lead by a user assigned to said station within an allotted time interval (Goss et al.; col. 7, lines 26-67 and col. 8, lines 1-35, and col. 14, lines 20-40 *see claim 86).

Regarding claims 87, 89-90, 92, 94-97, 99, 104, and 116, the obviousness and motivation to combine as discussed with regard to claim 86 above are applicable to those claims and are herein incorporated by reference.

[5] Claims 109 and 122 are rejected under 35 U.S.C. 103(a) as being unpatentable over Waits et al., in view of Gisby as applied to claims 100 and 111 above, and further in view of Admitted Prior Art.

NOTE: Regarding original claim 98 and newly added claims 109 and 122 (which recite the limitation set forth in original claim 98), Applicant did not traverse Examiner's Official Notice set forth in the previous office action mailed 16 June 2004. Specifically, Applicant did not traverse Examiner's previous assertion that, at the time of Applicant's invention, it was well known in the electronic scheduling arts to provide calendars with reminders to users for the

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purpose of providing reinforcement for reminding a user to carry out a scheduled task. Therefore, the use of calendars with reminders to users to provide reinforcement for reminding a user to carry out a scheduled task is considered to be Admitted Prior Art.

As per claim 109 (New), admitted prior art teaches an article further comprising a calendar within said medium for scheduling reminder messages for users of said station within said marketing campaign (Admitted Prior Art).

As per claim 122 (New), admitted prior art teaches an article further comprising a calendar within said medium for scheduling reminder messages for users of said station within said marketing campaign (Admitted Prior Art).

Regarding claim 109 and 122, the obviousness and motivation to combine the teachings of Waits et al. with those of Gisby as discussed with regard to claims 100 and 111 above are applicable to claims 109 and 122, respectively, and are herein incorporated by reference.

Regarding the additional teachings of the Admitted Prior Art, it would have been obvious at the time the invention was made to have improved the scheduling of tasks associated with a marketing campaign by employing well known scheduling methods such as an electronic calendar to remind users when to perform tasks (Admitted Prior Art).

[6] Claim 98 is rejected under 35 U.S.C. 103(a) as being unpatentable over Waits et al., Gisby, and Goss et al. as applied to claim 86 above, and further in view of Admitted Prior Art.

As per claim 98 (Original), Neither Waits et al. nor Gisby nor Goss et al. teach a calendar within said medium for scheduling reminder messages for users of said station within said marketing campaign (Admitted Prior Art).

Regarding claim 98, the obviousness and motivation to combine the teachings of Waits et al. and Gisby with those of Goss et al. as discussed with regard to claim 86 above are applicable to claim 98, and are herein incorporated by reference.

Regarding the additional teachings of the Admitted Prior Art, it would have been obvious at the time the invention was made to have improved the scheduling of tasks associated with a marketing campaign by employing well known scheduling methods such as an electronic calendar to remind users when to perform tasks (Admitted Prior Art).

Response to Arguments

[7] Applicant's arguments filed 9 February 2005 have been fully considered by the Examiner and are either considered moot in view of newly added grounds of rejection or found to be not persuasive. The arguments will be addressed below in the order in which they appear in the response filed 9 February 2005.

Applicant argues, "Gisby does not institute a time interval in which a lead must have received a marketing effort". The amended language of claim 86 regarding the use of predetermined time intervals to ensure prompt response to leads has been fully addressed by the Examiner as being obvious in view of the newly applied teachings of Goss et al.

Applicant argues, "Gisby does not institute sending a communication to a user in response to neglect of a lead". Examiner respectfully refutes this argument. Specifically Gisby teaches that due to interruption, callers may be disconnected (i.e., a neglected lead) (Gisby; col. 7, lines 27-31). Further, Gisby teaches that once the system determines that a caller has been disconnected (i.e, neglected), an automated system begins successive attempts to regain contact with the customer (i.e., neglected lead). Lastly, Examiner argues that the Gisby system serves to primarily alert the automated system of a neglected lead and secondarily alert a human user of a failure to re-connect with the caller in the form of "reporting a failed attempt to re-connect" (Gisby; col. 7, lines 37-42). Therefore, Examiner submits that not only does Gisby provide for an automated alert and response system with regard to a neglected or lost lead, but Gisby additionally provides for alerting a user of the system of a lost or neglected lead that the automated system was unable to salvage.

Applicant argues, "Although Gisby teaches a telecommunication tool for moving a survey customer from one station to a subsequent station, Gisby does not support allowing a lead to remain in a specific station". In response, Examiner notes that Gisby indicates that routing of

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leads, although exemplified in the Gisby disclosure as involving only two stations, would typically involve multiple stations (i.e., current station, previous station, subsequent station) (Gisby; col. 5, lines 42-45). Further, Gisby indicates that selected client-callers enter the system through a normal business channel (current station) and are routed to "either IVR 61" for a survey (additional station) or a "live agent" (additional station) for conducting a survey (Gisby; col. 5, lines 24-30). Additionally, Gisby indicates that "after the transaction with the agent is complete the caller is transferred back to the IVR" (i.e., previous station) or to a "survey agent responsible for conducting the survey" (i.e. subsequent station) (Gisby; col. 5, lines 35-40). Lastly, Gisby discloses that "In the case of a live agent conducting the survey, any eligible trained agent or agent supervisor...may be used at any station" (Gisby; col. 5, lines 39-42). Examiner is interpreting Gisby's teachings of routing callers from normal business channels/stations to one or more stations for survey purposes and then back to normal business channels or forward to "live agent" stations as encompassing of Applicant's desire to route leads from current stations to previous and subsequent stations. Further, Gisby's disclosure regarding the system's flexibility to conduct system functions using an eligible agent at any available station indicates to the Examiner that an option for the system is to route a lead to a specific station, with an available agent for the completion of multiple or all of the tasks required by the marketing campaign.

Applicant argues, "...the prior art references (Waits et al. in view of Gisby) whether taken individually or in combination do not render Applicant's invention obvious as there is no teaching, suggestion, or motivation to combine the elements...". Examiner submits that the Waits

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et al. invention was developed with the intention of allowing "a market analyst of a bank to divide a customer database into segments, and to examine the response of selected segments to marketing campaigns" (Waits et al.; col. 2, lines 43-46). The Waits et al. invention further defines features that allow for the development of marketing strategy and conducting and analyzing campaigns as well as setting priorities with regard to the profitability associated with different segments of the banks customer base (Waits et al.; col. 3, col. 4, col. 5). Waits et al. further specifies that the data analysis system functionally interacts with other programs (Waits et al.; Abstract). Where the Waits et al. invention is directed primarily to data analysis and development of marketing strategy, the Gisby invention is directed to the collection of data in an efficient and effective manner using a combination automated and live agent methods (Gisby; col. 5, lines 23-45). Examiner submits that intended compatibility with supplemental platforms evidenced in Waits et al. indicates that the Waits et al. system was specifically designed with the intention of receiving and analyzing data gathered by a system such as the one exemplified in the Gisby disclosure.

In conclusion, all of the limitations which Applicant disputes as missing in the applied references, including the features newly added in the Request for Continued Examination filed on 9 February 2005, have been fully addressed by the Examiner as either being fully disclosed or obvious in view of the collective teachings of Waits et al., Gisby, and newly applied reference Goss et al., based on the logic and sound scientific reasoning of one ordinarily skilled in the art at the time of the invention, as detailed in the remarks and explanations given in the preceding

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sections of the present Office Action and in the prior Office Action (mailed 16 June 2004), and incorporated herein.

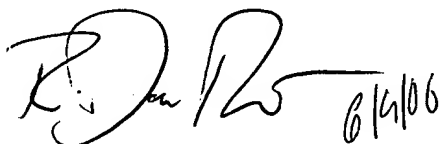
Conclusion

[8] Any inquiry concerning this communication or earlier communications from the examiner should be directed to Robert D. Rines whose telephone number is 571-272-5585. The examiner can normally be reached on 8:30am - 5:00pm Mon-Fri.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph Thomas can be reached on 571-272-6776. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

RDR

Handwritten signature of Robert D. Rines, dated 6/14/06.

C. LUKE GILLIGAN
PATENT EXAMINER